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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,668	11/13/2001	Patrick W. Giralдин	025505-2005	8492

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EXAMINER

LIU, MING HUN

ART UNIT	PAPER NUMBER
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2697

DATE MAILED: 07/07/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

9/1

# Office Action Summary

Application No.

09/992,668

Applicant(s)

GIRALDIN ET AL.

Examiner

Ming-Hun Liu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved, by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4, 10, 12 and 13 are rejected under 35 U.S.C. 102(b) as being unpatentable by US patent 5,987,421 to Chuang.

In reference to claim 1, Chuang discloses a method for tracking in real-time the location of a group of member within a defined environment and for providing information to any member of the group about the location of any other members of the group (column 1, lines 11-14 and column 8, lines 8-10). Chuang's invention provides each member with an identification tag (column 2, lines 37-40 and GID), each tag having a unique serial number associating each member with the group and with the unique serial number communicating with each tag as members move within said defined environment communicating providing information indicative of the unique serial number and determining the location information of each member from communicating (column 3, lines 8-24).

In reference to claim 2, Chuang discloses a method that allows for requesting location information of each member by a requesting member and providing the location information of each member to said requesting member (column 4, line 49 and column 5, lines 55-58).

Referring to claim 4, Chuang discloses a method where requesting comprises interaction between the requesting member and a graphical user interface (column 4, lines 46-50).

Referring to claim 10, Chuang describes a method that includes returning a tag provided to a member and disassociating the member from the group (column 3, lines 1-2).

In reference to claim 12, returning a tag provided to a member, disassociating the member from the unique serial number of the tag, providing the member with a new tag having a new serial number and associating the member with a new serial number (column 8, lines 40-44).

In reference to claim 13, disassociating the member from the group and associating the member with a new group (column 9, lines 34-40).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chuang and US Patent 5,652,570 to Lepkofker.

In reference to claim 3, Chuang discloses an invention that does provide the location information by displaying a map of the defined environment and an indication of each member on the map (column 12, lines 13-20). However, Chuang does not explicitly state how this map will be displayed. Lepkofker, in a similar invention, shows on figure 11 and column 10, lines 9-14, a map displayed on a monitor. It would have been obvious to one skilled in the art to

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incorporate a monitor as a source of the map so that icons of the members being identified can be displayed visually on the map for the sake of ease or use.

In reference to claim 9, it can be seen from Lepkofker's disclosure (figure 11, and column 10, line 16-29) that his invention associates each member with an icon for representation on a monitor. It would have been obvious to incorporate such a feature to the display monitor so that users can visually track the position and progress of an individual in the group.

4. Claims 5-8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chuang.

In reference to claim 5, as mentioned before, Chuang does disclose a graphical user interface, however he does not specifically disclose that the interface be a touch screen system. Chuang does state on column 4, lines 47 that the device have "manipulabe inputs, such as push buttons or the like." It is well known in the art that touch screens are common methods of user input. One skilled in the art would have been motivated to use a touch screen instead of push buttons to promote ease of use.

In reference to claim 6, Chuang does not explicitly describes a method further comprising storing the location information of each user for a fixed period however this limitation is implies if not inherent to the invention.

In reference to claims 7 and 8, Chuang describes a system where he obtains personal information about members (column 3, lines 64-66) but he does not account for obtaining personal information on all members in the group, nor does he specifically include age as a necessary demographic. However, as Chuang discusses on column 6, lines 55-57, the

demographic data obtained from the system can be used for statistical analysis. It would be obvious to one with business sense that obtaining more subject data and age data is essential for optimum statistical analysis. It would have been obvious to modify Chuang's invention by increasing the number of people sampled and retrieve age information to gain a more accurate representation of the individuals in the environment.

In reference to claim 11, Chuang, as stated before, includes a method where the tag retrieval and disassociating the group relations, however he does not explicit state that disassociating includes deleting the member from a member list associated with the group. But when referring to column 4, starting from line 7, Chuang states, "In the event that more than one GID device is rented, the GID devices are linked to each other so that they now function as a group. The group linking relation information is stored in the CCS database for later reference." His disclosure implies that disassociating includes deleting the member from this linking relation information database.

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 5,485,163 to Singer et al: A personal location system.

US Patent 6,567,116 to Jacob et al: Home security with object monitoring

US Patent 5,781,108 to Aman et al: Object tracking.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ming-Hun Liu whose telephone number is 703-305-8488. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on 703-305-3885. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

Ming-Hun Liu  
June 25, 2003



JOSEPH MANCUSO  
PRIMARY EXAMINER